

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

CAPITAL PROMOTIONS, L.L.C.
a Limited Liability Corporation,

Plaintiff,

v.

DON KING PRODUCTIONS, INC.,

Defendant.

Case No. 4:10-cv-00048 HEA


ORDER

Capital Promotions has requested this Court issue a letter of request, also known as a letter rogatory, to the Court of Queen's Bench of Edmonton, Alberta, Canada under 28 U.S.C. § 1781, Federal Rule of Civil Procedure 28(b), and in reliance on Section 46 of the Canada Evidence Act. Capital Promotions has shown that it is necessary to take testimony of Walter Tyson Fields, a United States citizen living in Edmonton, Alberta, Canada, to ensure that complete justice be done in this case. Fields has refused to voluntarily agree to a deposition requested by Capital Promotions in this litigation, and, as a result, Capital Promotions requests that the Court of Queen's Bench of Edmonton, Alberta cause Walter Tyson Fields to appear before it or some competent person appointed and authorized by it to provide the requested testimony at the appropriate place and time. Because Capital Promotions' request appears to be relevant and no more burdensome than necessary, I will order that the letter of request be issued to the requested court.

Accordingly,

IT IS HEREBY ORDERED that the Clerk of Court shall issue a letter of request, or letter rogatory, in the form attached to the Court of Queen's Bench, Edmonton, Alberta, Canada at the address of Law Courts, 1A Sir Winston Churchill Square, Edmonton, AB P5J 0R2.

IT IS SO ORDERED this 19th day of October, 2011.



HENRY E. AUTREY
UNITED STATES DISTRICT JUDGE